

Nos. 01-20-00004-CR and 01-20-00005-CR

In the Court of Appeals
For the First District of Texas
At Houston

FILED IN
1st COURT OF APPEALS
HOUSTON, TEXAS
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CHRISTOPHER A. PRINE
Clerk

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Nos. 1657519 and 1657521
In the 338th District Court
Of Harris County, Texas

—————◆—————
Ex parte Joseph Eric Gomez
Appellant

—————◆—————
**State's First Motion for Extension
Of Time to File Appellate Brief**
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To the Honorable Court of Appeals:

The State of Texas asks for a 30-day extension of time to file its appellate brief. The following facts are relevant:

1. The appellant was indicted for burglary of a habitation and assault of an individual with whom he had a dating relationship by impeding breath. (1 Supp. CR 14; 2 Supp. CR 19).¹ He filed

¹ The State will describe the clerk's records for these two cases as though they were sequential volumes. The record for No. 1657519 (the burglary case) will be 1 CR and 1 Supp. CR. The record for No. 1657521 (the assault case) will be 2 CR and 2 Supp. CR. When documents are identical in the records the State will cite to 1 CR and 1 Supp. CR.

a pre-trial application for habeas corpus relief, alleging his bail was too high. (1 CR 4-9).² After a hearing, the trial court denied relief. (2 RR 23-24). The trial court certified the appellant's right of appeal and the appellant filed notices of appeal. (1 CR 68, 69; 2 CR 68, 69).

2. The State's brief is due on February 3, 2019
3. This is the State's first request for extension.
4. This Court requested briefing on January 14, 2020. Since then, the undersigned attorney has worked on the following appellate matters:

- a. Happy Pham
No. 14-17-00400-CR
Response to motion for en banc reconsideration, as requested by the court, filed January 21, 2020
- b. Ramon Torres
No. 14-19-00286-CR
Brief filed January 24, 2020
- c. Dennis Gallien
No. 01-19-00882-CR
Brief filed January 29, 2020

² For whatever reason, the writ application appears in the original clerk's records and then twice in the supplemental records. (*See* 1 Supp. CR 23-28, 78-84). There's also a shorter "Application for Writ of Habeas Corpus Seeking Bail Reduction," filed three days before the other application, in the supplemental records. (*See* 1 Supp. CR 15-16).

d. Alfred Moliere

No. 19-6910 in the Supreme Court of the United States

Response to petition for writ of certiorari, as requested by the court, filed January 30, 2020

5. The undersigned attorney has spent a considerable amount the time since January 14 answering legal questions from prosecutors engaged in trials.

The State prays that this Court will grant the requested extension.

Respectfully submitted,

/s/ C.A. Morgan
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Date: February 3, 2020